

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division

NEIL D.R.,

Plaintiff,

v.

Civil Action No. 3:21cv422

KILOLO KIJAKAZI,  
Acting Commissioner of  
Social Security,

Defendant.

ORDER

Having reviewed the REPORT AND RECOMMENDATION of the Magistrate Judge entered herein on July 18, 2022 (ECF No. 27), the PLAINTIFF'S OBJECTIONS TO THE REPORT AND RECOMMENDATION OF THE MAGISTRATE JUDGE (ECF No. 28), the DEFENDANT'S RESPONSE TO PLAINTIFF'S OBJECTIONS TO THE REPORT AND RECOMMENDATION OF THE MAGISTRATE JUDGE (ECF No. 29), and having considered the record and the REPORT AND RECOMMENDATION (ECF No. 27) and finding no error therein, it is hereby ORDERED that:

(1) The PLAINTIFF'S OBJECTIONS TO THE REPORT AND RECOMMENDATION OF THE MAGISTRATE JUDGE (ECF No. 28) are overruled; and

(2) The REPORT AND RECOMMENDATION of the Magistrate Judge (ECF No. 27) is adopted on the basis of the reasoning of the REPORT AND RECOMMENDATION; and

(3) The PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT (ECF No. 22)  
is denied; and

(4) The DEFENDANT'S MOTION FOR SUMMARY JUDGMENT (ECF No. 25)  
is granted; and

(5) The Commissioner's decision is affirmed.

It is further ORDERED that the issues are adequately addressed  
by the briefs and oral argument would not materially aid the  
decisional process.

It is so ORDERED.

/s/ REP  
Robert E. Payne  
Senior United States District Judge

Richmond, Virginia  
Date: August 18, 2022